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Déjà Vu, C.I.

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RESTON, Va. — Ironically, the proposed increased role for the Central Intelligence Agency in domestic clandestine activities through infiltration, surveillance, and searches, conflicts with the recommendations of the (Rockefeller) Commission on C.I.A. Activities Within the United States, on which Ronald Reagan, then a private citizen, served. The proposal is contained in recommendations for sweeping changes in regulations governing intelligence activities that intelligence agency representatives have developed and that the C.I.A. leadership and others are reviewing.

If adopted, the proposal would represent the first time a President had specifically authorized extensive domestic spying by the C.I.A. Issues of privacy, free speech, and personal liberty are raised, but the proposal also presents a critical issue for the Administration in defining the C.I.A.'s role and thereby setting a tone for the intelligence process. In fact, the proposal might presage the deterioration of the process rather than its invigoration.

Collection of information about foreign powers is essential to wise foreign

policy. At times, the Government must gather the information clandestinely. But it makes a difference which agency collects it, and how.

When the C.I.A. was established, a central concern was avoiding creation of an agency to spy on Americans. In 1975, in its first recommendation, the Rockefeller Commission urged that the C.I.A. avoid engaging in "collection efforts within the United States directed at securing foreign intelligence from unknowing American citizens." It also recommended a prohibition on infiltration of domestic groups unless a group posed a threat to the agency that law-enforcement authorities could not meet. Other recommendations were to prohibit C.I.A. physical surveillance of persons other than Agency employees and a flat ban on "unconsented physical searches" in America.

President Ford accepted these recommendations in Executive Order 11905; President Carter preserved the thrust of them in Order 12036. The proposal being considered would conflict with each commission recommendation and rescind the key provisions of both orders. Some see the ghost of Operation Chaos and other Watergate-Vietnam abuses in the proposal — indeed, perhaps recurrences are not precluded. But the real threat to the integrity of our institutions — and to the integrity of the C.I.A. and the intelligence process — lies elsewhere.

The C.I.A.'s mission is not to investigate dissident groups, and there is behind the proposal probably no conscious intention to authorize such investigations. The C.I.A. undoubtedly intends to improve its ability to gather foreign intelligence. We may hear an argument that the proposal would only eliminate unnecessary inhibitions on the proper collection of intelligence.

There is some truth behind such an argument — some changes are needed — but this proposed solution far exceeds actual needs.

A great deal of information about foreign powers is publicly available in the United States. Much private information is provided discreetly to the C.I.A. by individuals acting for the best reasons. Some data in America not readily available may be vital to informed decision-making. But that possibility does not justify the C.I.A.'s placing agents in American organizations that have data the C.I.A. believes are not otherwise available. Situations could arise where it would be in the national interest for a deal between an American business and a foreign organization to fall apart, but should the C.I.A. cause that failure? Washington needed American banks' cooperation in the hostage crisis, but if a similar situation arose, should we resort to clandestine activities rather than executive orders or voluntary cooperation?

These questions are not flights of fancy. Each reflects an authority that would be granted to the C.I.A. under the suggested new executive order. Each reflects a major change in the C.I.A.'s traditional role within America. The proposed new powers could lead to the acquisition of additional information, but at what cost? Would these powers produce better National Intelligence Estimates, or would they lead inevitably to a new Operation Chaos directed not at anti-Government dissidents but at mainstream organizations? Would the additional data be worth the potential cost to the self-esteem of intelligence professionals who could again be dragged through exposés and reactive solutions to real or perceived problems? These are some questions the Administration must ask and answer as it considers the proposal.

It is easy to focus on recent regulations as the cause of C.I.A. problems — easier than to grapple with the continuing absence of sufficient human resources to cope with the inundation of raw intelligence. The easy road may be attractive to those who want to improve the intelligence process; however, it may produce diversions from the C.I.A.'s important role overseas and provoke critical reactions that consume management attention and weaken, rather than heal, an agency that has already suffered unfairly because of past errors, many not of its own making. Let us hope the proposal is only a passing wave that has run ashore and spent its force with little permanent effect.

Kenneth C. Bass 3d, a lawyer, headed the Justice Department's Office of Intelligence Policy and Review from its creation in 1979 until recently. He helped draft the executive order regulating intelligence activities that Jimmy Carter signed in 1978.